VIA HAND DELIVERY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Achilefu et al.
Serial No.: 09/757,332
Filed: January 9, 2001
Art Unit: 1619
Confirmation No.: 5505
Title: **HYDROPHILIC CYANINE DYES**
Atty Docket: MRD-66

Cincinnati, Ohio 45202

February 19, 2003

Box Sequence
Customer Window
2011 South Clark Place
Crystal Plaza Two
Lobby, Room 1B03
Arlington, VA 22202

Sir:

STATEMENT UNDER 37 C.F.R. §1.821(f)

The information recorded in computer readable form of United States Patent Application, Serial No. 09/757,332, filed January 9, 2001, and the paper copy of same are identical to the written sequence listing contained in the above-referenced application and contain no new matter.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

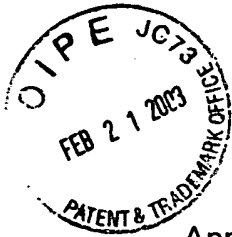
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0300

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Sir:

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

In response to the Notice to Comply with Requirements for
Patent Applications Containing Nucleotide Sequence and/or Amino Acid
Sequence Disclosures dated January 17, 2003, Applicants enclose herewith
✓ an identical computer readable form (CRF) copy of the "Sequence Listing"
as previously submitted and a statement that the content of the sequence
listing information recorded in computer readable form is identical to the
written (on paper or compact disc) sequence listing and includes no new


matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicants' response notes Ms. Shirley Steel's confirmation that the United States Patent and Trademark Office records indicate applicants disc was received, but subsequently could not be located, thus, no fee is due.

Applicants believe that no fees are believed to be due. If this is not the case, the Commissioner is authorized to charge Deposit Account No. 23-3000 for any required fees.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



Beverly A. Lyman, Ph.D.

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